REMARKS

Claims 2, 6, 14-25, and 27-29 have been cancelled. Claims 1,7-8, 12-13, and 26 have been amended to clarify the subject matter regarded as the invention. New claims 30-45 have been added. Claims 1, 3-5, 7-13, 24-26, and 30-45 are pending.

The Examiner has rejected claims 1 and 26 under 35 U.S.C. §112, second paragraph, as being indefinite. Claims 1 and 26 have been amended in a manner believed to overcome the Examiner's rejection.

The Examiner has rejected claims 1, 3-5, 7-13, and 26 under 35 U.S.C. §101 as being directed to non-statutory subject matter. Independent claims 1, 24, and 26 have been amended in a manner believed to overcome the Examiner's rejection. Claims 3-5, 7-8, 9-13, and 30-33 depend from Claim 1, and the Examiner's rejection of those claims is believed to be overcome accordingly.

The Examiner has rejected independent claims 1 and 26 under 35 U.S.C. §103(a) as being unpatentable over Humlicek (U.S. Patent No. 6,594,744) in view of Marquet (US 2004/0117622). The rejection is respectfully traversed.

With respect to Claim 1, the Examiner has acknowledged Humlicek "is silent as to determining whether the roll-back state is secure." (OA at page 6.) Humlicek is thus also silent as to "performing one or more remediation actions prior to or during a roll-back of the computer resource to the roll-back state if it is determined that the roll-back state is not secure" as recited in amended Claim 1.

Marquet describes that security components "may or may not be required by an application program," but their implementation "as full-service security packages ... frequently results in the allocation of considerable memory for storing security services while somewhat less security and hence storage may be sufficient for a particular application." (Marquet at ¶002). Marquet then describes the "hot-loading" of security components (the "seamless addition of a new security component into a security environment, while existing components are active"), so that resources can be conserved. (Marquet at ¶18).

None of the references, neither individually, nor in conjunction, teach "performing one or more remediation actions prior to or during a roll-back of the computer resource to the roll-back state if it is determined that the roll-back state is not secure" as recited in amended Claim 1. Therefore, Claim 1 is believed to be allowable.

Claims 3-5, 7-8, 9-13, and 30-33 depend from Claim 1 and are believed to be allowable for the same reasons described above.

Independent Claims 26 and 34 recite limitations similar to Claim 1 and are believed to be allowable for the same reasons described above.

Claims 35-45 depend from Claim 34 and are believed to be allowable for the same reasons described above.

Reconsideration of the application and allowance of all claims are respectfully requested based on the preceding remarks. If at any time the Examiner believes that an interview would be helpful, please contact the undersigned.

Respectfully submitted,

Dated: _1/25/2007_
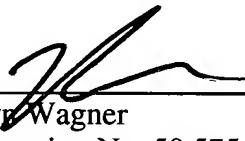
Robyn Wagner
Registration No. 50,575
V   408-973-2596
F   408-973-2595

VAN PELT, YI & JAMES LLP
10050 N. Foothill Blvd., Suite 200
Cupertino, CA 95014